

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 5:11-cr-0124

ELISHA RIGGLEMAN,

Defendant.

ORDER

The Court has reviewed Defendant's *pro se* Motion to Object to the Denying of the Recusal of Special Counsel to the Government (Document 153) and Defendant's *pro se* Motion for Special AUSA to Provide to Defendant as Part of the Discovery as to Why a Special AUSA was Appointed in This Case (Document 154).

The Sixth Amendment guarantees a criminal defendant the right to the assistance of counsel. *Faretta v. California*, 422 U.S. 806, 819 (1975). The Defendant has been represented by counsel throughout the proceedings herein. The Court need not consider *pro se* motions filed by a criminal defendant who is represented by counsel. *United States v. Essig*, 10 F.3d 968, 973 (3rd Cir., 1993); *United States v. Shrader*, 2010 WL 2671497 (S.D.W. Va. 2010); *U.S. v. Young*, 2009 WL 163045 (E.D. Pa., 2008); *U.S. v. Sandles*, 2008 WL 275684 (E.D. Mich, 2008). Both of Defendant's *pro se* motions were filed while he has been represented by counsel. Accordingly, the Court hereby **ORDERS** that Defendant's aforementioned *pro se* Motions (Documents 153 and 154) be **DENIED**.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, to the United States Attorney, to the United States Probation Office and to the United States Marshal.

ENTER: May 10, 2012



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA